

1 AMENDMENT TO HOUSE BILL 3402

2 AMENDMENT NO. _____. Amend House Bill 3402 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois State Auditing Act is amended
5 by changing Section 3-1 as follows:

6 (30 ILCS 5/3-1) (from Ch. 15, par. 303-1)

7 Sec. 3-1. Jurisdiction of Auditor General. The Auditor
8 General has jurisdiction over all State agencies to make post
9 audits and investigations authorized by or under this Act or
10 the Constitution.

11 The Auditor General has jurisdiction over local
12 government agencies and private agencies only:

13 (a) to make such post audits authorized by or under
14 this Act as are necessary and incidental to a post audit
15 of a State agency or of a program administered by a State
16 agency involving public funds of the State, but this
17 jurisdiction does not include any authority to review
18 local governmental agencies in the obligation, receipt,
19 expenditure or use of public funds of the State that are
20 granted without limitation or condition imposed by law,
21 other than the general limitation that such funds be used
22 for public purposes;

1 (b) to make investigations authorized by or under
2 this Act or the Constitution; and

3 (c) to make audits of the records of local
4 government agencies to verify actual costs of
5 state-mandated programs when directed to do so by the
6 Legislative Audit Commission at the request of the State
7 Board of Appeals under the State Mandates Act.

8 In addition to the foregoing, the Auditor General may
9 conduct an audit of the Metropolitan Pier and Exposition
10 Authority, the Regional Transportation Authority, the
11 Suburban Bus Division, the Commuter Rail Division and the
12 Chicago Transit Authority and any other subsidized carrier
13 when authorized by the Legislative Audit Commission. Such
14 audit may be a financial, management or program audit, or any
15 combination thereof.

16 The audit shall determine whether they are operating in
17 accordance with all applicable laws and regulations. Subject
18 to the limitations of this Act, the Legislative Audit
19 Commission may by resolution specify additional
20 determinations to be included in the scope of the audit.

21 In addition to the foregoing, the Auditor General must
22 also conduct a financial audit of the Illinois Sports
23 Facilities Authority's expenditures of public funds in
24 connection with the reconstruction, renovation, remodeling,
25 extension, or improvement of all or substantially all of any
26 existing "facility", as that term is defined in the Illinois
27 Sports Facilities Authority Act.

28 The Auditor General may also conduct an audit, when
29 authorized by the Legislative Audit Commission, of any
30 hospital which receives 10% or more of its gross revenues
31 from payments from the State of Illinois, Department of
32 Public Aid, Medical Assistance Program.

33 The Auditor General is authorized to conduct financial
34 and compliance audits of the Illinois Distance Learning

Foundation and the Illinois Conservation Foundation.

As soon as practical after the effective date of this amendatory Act of 1995, the Auditor General shall conduct a compliance and management audit of the City of Chicago and any other entity with regard to the operation of Chicago O'Hare International Airport, Chicago Midway Airport and Merrill C. Meigs Field. The audit shall include, but not be limited to, an examination of revenues, expenses, and transfers of funds; purchasing and contracting policies and practices; staffing levels; and hiring practices and procedures. When completed, the audit required by this paragraph shall be distributed in accordance with Section 3-14.

The Auditor General shall conduct a financial and compliance and program audit of distributions from the Municipal Economic Development Fund during the immediately preceding calendar year pursuant to Section 8-403.1 of the Public Utilities Act at no cost to the city, village, or incorporated town that received the distributions.

The Auditor General must conduct an audit of the Health Facilities Planning Board pursuant to Section 19.5 of the Illinois Health Facilities Planning Act.

The Auditor General must conduct an annual audit of the water enterprise fund of a county that has assumed the assets, liabilities, rights, powers, duties, and functions of a water commission under Section 0.02 of the Water Commission Act of 1985.

(Source: P.A. 90-813, eff. 1-29-99; 91-782, eff. 6-9-00; 91-935, eff. 6-1-01.)

Section 10. The Counties Code is amended by changing Section 5-1005 and by adding Section 5-1127 as follows:

(55 ILCS 5/5-1005) (from Ch. 34, par. 5-1005)

1 Sec. 5-1005. Powers. Each county shall have power:

2 1. To purchase and hold the real and personal estate
3 necessary for the uses of the county, and to purchase and
4 hold, for the benefit of the county, real estate sold by
5 virtue of judicial proceedings in which the county is
6 plaintiff.

7 2. To sell and convey or lease any real or personal
8 estate owned by the county.

9 3. To make all contracts and do all other acts in
10 relation to the property and concerns of the county necessary
11 to the exercise of its corporate powers.

12 4. To take all necessary measures and institute
13 proceedings to enforce all laws for the prevention of cruelty
14 to animals.

15 5. To purchase and hold or lease real estate upon which
16 may be erected and maintained buildings to be utilized for
17 purposes of agricultural experiments and to purchase, hold
18 and use personal property for the care and maintenance of
19 such real estate in connection with such experimental
20 purposes.

21 6. To cause to be erected, or otherwise provided,
22 suitable buildings for, and maintain a county hospital and
23 necessary branch hospitals and/or a county sheltered care
24 home or county nursing home for the care of such sick,
25 chronically ill or infirm persons as may by law be proper
26 charges upon the county, or upon other governmental units,
27 and to provide for the management of the same. The county
28 board may establish rates to be paid by persons seeking care
29 and treatment in such hospital or home in accordance with
30 their financial ability to meet such charges, either
31 personally or through a hospital plan or hospital insurance,
32 and the rates to be paid by governmental units, including the
33 State, for the care of sick, chronically ill or infirm
34 persons admitted therein upon the request of such

1 governmental units. Any hospital maintained by a county under
2 this Section is authorized to provide any service and enter
3 into any contract or other arrangement not prohibited for a
4 hospital that is licensed under the Hospital Licensing Act,
5 incorporated under the General Not-For-Profit Corporation
6 Act, and exempt from taxation under paragraph (3) of
7 subsection (c) of Section 501 of the Internal Revenue Code.

8 7. To contribute such sums of money toward erecting,
9 building, maintaining, and supporting any non-sectarian
10 public hospital located within its limits as the county board
11 of the county shall deem proper.

12 8. To purchase and hold real estate for the preservation
13 of forests, prairies and other natural areas and to maintain
14 and regulate the use thereof.

15 9. To purchase and hold real estate for the purpose of
16 preserving historical spots in the county, to restore,
17 maintain and regulate the use thereof and to donate any
18 historical spot to the State.

19 10. To appropriate funds from the county treasury to be
20 used in any manner to be determined by the board for the
21 suppression, eradication and control of tuberculosis among
22 domestic cattle in such county.

23 11. To take all necessary measures to prevent forest
24 fires and encourage the maintenance and planting of trees and
25 the preservation of forests.

26 12. To authorize the closing on Saturday mornings of all
27 offices of all county officers at the county seat of each
28 county, and to otherwise regulate and fix the days and the
29 hours of opening and closing of such offices, except when the
30 days and the hours of opening and closing of the office of
31 any county officer are otherwise fixed by law; but the power
32 herein conferred shall not apply to the office of State's
33 Attorney and the offices of judges and clerks of courts and,
34 in counties of 500,000 or more population, the offices of

1 county clerk.

2 13. To provide for the conservation, preservation and
3 propagation of insectivorous birds through the expenditure of
4 funds provided for such purpose.

5 14. To appropriate funds from the county treasury and
6 expend the same for care and treatment of tuberculosis
7 residents.

8 15. In counties having less than 1,000,000 inhabitants,
9 to take all necessary or proper steps for the extermination
10 of mosquitoes, flies or other insects within the county.

11 16. To install an adequate system of accounts and
12 financial records in the offices and divisions of the county,
13 suitable to the needs of the office and in accordance with
14 generally accepted principles of accounting for governmental
15 bodies, which system may include such reports as the county
16 board may determine.

17 17. To purchase and hold real estate for the
18 construction and maintenance of motor vehicle parking
19 facilities for persons using county buildings, but the
20 purchase and use of such real estate shall not be for revenue
21 producing purposes.

22 18. To acquire and hold title to real property located
23 within the county, or partly within and partly outside the
24 county by dedication, purchase, gift, legacy or lease, for
25 park and recreational purposes and to charge reasonable fees
26 for the use of or admission to any such park or recreational
27 area and to provide police protection for such park or
28 recreational area. Personnel employed to provide such police
29 protection shall be conservators of the peace within such
30 park or recreational area and shall have power to make
31 arrests on view of the offense or upon warrants for violation
32 of any of the ordinances governing such park or recreational
33 area or for any breach of the peace in the same manner as the
34 police in municipalities organized and existing under the

1 general laws of the State. All such real property outside the
2 county shall be contiguous to the county and within the
3 boundaries of the State of Illinois.

4 19. To appropriate funds from the county treasury to be
5 used to provide supportive social services designed to
6 prevent the unnecessary institutionalization of elderly
7 residents, or, for operation of, and equipment for, senior
8 citizen centers providing social services to elderly
9 residents.

10 20. To appropriate funds from the county treasury and
11 loan such funds to a county water commission created under
12 the "Water Commission Act", approved June 30, 1984, as now or
13 hereafter amended, in such amounts and upon such terms as the
14 county may determine or the county and the commission may
15 agree. The county shall not under any circumstances be
16 obligated to make such loans. The county shall not be
17 required to charge interest on any such loans.

18 21. Beginning October 1, 2003, to exercise the powers
19 and assume the obligations of a water commission abolished
20 under Section 0.02 of the Water Commission Act of 1985.

21 All contracts for the purchase of coal under this Section
22 shall be subject to the provisions of "An Act concerning the
23 use of Illinois mined coal in certain plants and
24 institutions", filed July 13, 1937, as amended.

25 (Source: P.A. 86-962; 86-1028.)

26 (55 ILCS 5/5-1127 new)

27 Sec. 5-1127. Homeland security and bioterrorism response
28 plan. The health department and emergency management agency
29 of the home county of a water commission abolished under
30 Section 0.02 of the Water Commission Act of 1985 shall
31 develop a homeland security and bioterrorism response plan
32 and ongoing operations for the home county, including but not
33 limited to, equipment, training, personnel, and other

1 critical recurring public health programs. The homeland
2 security and bioterrorism response plan shall include, but
3 need not be limited to, the following:

4 (1) As designated by the county board of health,
5 the procurement of appropriate antibiotics or other
6 remedies for distribution to first responders to events
7 of bioterrorism.

8 (2) The organization of a sufficient number of
9 volunteers as deemed necessary by the county board or
10 health department for the dissemination of information
11 and other duties assigned by the board for the purpose of
12 responding to events of bioterrorism.

13 (3) The establishment of municipal liaisons for
14 every municipality wholly or partially within the county
15 in order to assist, if necessary, and to coordinate
16 county health department efforts in the event of a
17 bioterrorism incident.

18 (4) The distribution of county public service
19 announcements and advertisements designed to educate
20 county residents on what to do and where to turn for help
21 in the event of a bioterrorism incident.

22 Funding for the plan and its operation shall derive from
23 revenues collected under the Water Commission Act of 1985 and
24 transferred to the home county board under this amendatory
25 Act of the 93rd General Assembly.

26 Section 15. The Illinois Municipal Code is amended by
27 changing Section 11-124-1 as follows:

28 (65 ILCS 5/11-124-1) (from Ch. 24, par. 11-124-1)

29 Sec. 11-124-1. (a) The corporate authorities of each
30 municipality may contract with any person, corporation,
31 municipal corporation, political subdivision, public water
32 district or any other agency for a supply of water. Any such

1 contract entered into by a municipality shall provide that
2 payments to be made thereunder shall be solely from the
3 revenues to be derived from the operation of the waterworks
4 system of the municipality, and the contract shall be a
5 continuing valid and binding obligation of the municipality
6 payable from the revenues derived from the operation of the
7 waterworks system of the municipality for the period of
8 years, not to exceed 40, as may be provided in such contract.

9 Any such contract shall not be a debt within the meaning of
10 any constitutional or statutory limitation. No prior
11 appropriation shall be required before entering into such a
12 contract and no appropriation shall be required to authorize
13 payments to be made under the terms of any such contract
14 notwithstanding any provision in this Code to the contrary.

15 (a) Payments to be made under any such contract shall be an
16 operation and maintenance expense of the waterworks system of
17 the municipality. Any such contract made by a municipality
18 for a supply of water may contain provisions whereby the
19 municipality is obligated to pay for such supply of water
20 without setoff or counterclaim and irrespective of whether
21 such supply of water is ever furnished, made available or
22 delivered to the municipality or whether any project for the
23 supply of water contemplated by any such contract is
24 completed, operable or operating and notwithstanding any
25 suspension, interruption, interference, reduction or
26 curtailment of the supply of water from such project. Any
27 such contract may provide that if one or more of the other
28 purchasers of water defaults in the payment of its
29 obligations under such contract or a similar contract made
30 with the supplier of the water, one or more of the remaining
31 purchasers party to such contract or such similar contract
32 shall be required to pay for all or a portion of the
33 obligations of the defaulting purchasers. (b) Payments to be
34 made under any such contract with a municipal joint action

1 water agency under the Intergovernmental Cooperation Act
2 shall be an operation and maintenance expense of the
3 waterworks system of the municipality. Any such contract
4 made by a municipality for a supply of water with a municipal
5 joint action water agency under the provisions of the
6 Intergovernmental Cooperation Act may contain provisions
7 whereby the municipality is obligated to pay for such supply
8 of water without setoff or counterclaim and irrespective of
9 whether such supply of water is ever furnished, made
10 available or delivered to the municipality or whether any
11 project for the supply of water contemplated by any such
12 contract is completed, operable or operating and
13 notwithstanding any suspension, interruption, interference,
14 reduction or curtailment of the supply of water from such
15 project. Any such contract with a municipal joint action
16 water agency may provide that if one or more of the other
17 purchasers of water defaults in the payment of its
18 obligations under such contract or a similar contract made
19 with the supplier of the water, one or more of the remaining
20 purchasers party to such contract or such similar contract
21 shall be required to pay for all or a portion of the
22 obligations of the defaulting purchasers.

23 The changes in this Section made by these amendatory Acts
24 of 1984 are intended to be declarative of existing law.

25 (b) A municipality with a water supply contract with a
26 home county of a water commission abolished under Section
27 0.02 of the Water Commission Act of 1985 shall provide water
28 to unincorporated areas of that home county that adjoin that
29 municipality in accordance with the terms of this subsection.
30 The provision of water by the municipality shall be in
31 accordance with an ordinance of the home county. The
32 ordinance of the home county shall not be effective unless it
33 finds that the area to be served receives well water that is
34 tainted, contaminated, or otherwise substandard. The

1 ordinance of the home county shall designate the system
2 within the unincorporated area to receive and distribute
3 municipal water. A home rule unit may not provide water in a
4 manner that is inconsistent with the provisions of this
5 amendatory Act of the 93rd General Assembly. This subsection
6 is a limitation under subsection (i) of Section 6 of Article
7 VII of the Illinois Constitution on the concurrent exercise
8 by home rule units of powers and functions exercised by the
9 State.

10 (Source: P.A. 83-1123; 83-1524.)

11 Section 20. The Water Commission Act of 1985 is amended
12 by adding Sections 0.01, 0.02, 0.03, 0.04, 0.05, 0.06, 0.07,
13 0.08, 0.09, 0.010, 0.011, 0.012, 0.013, and 0.014 as follows:

14 (70 ILCS 3720/0.01 new)

15 Sec. 0.01. Purpose and findings. It is the purpose of
16 this amendatory Act of the 93rd General Assembly to abolish
17 the commissions created by this Water Commission Act of 1985
18 and to transfer to the respective home counties all assets,
19 property, liabilities, rights, powers, duties, and functions
20 of the commissions.

21 The General Assembly finds and declares that it is
22 necessary and in the best interests of the people of the
23 State of Illinois and the persons served by these commissions
24 to change the governance of water systems created and
25 functioning under the Water Commission Act of 1985. The
26 changes established by this amendatory Act of the 93rd
27 General Assembly are intended to save costs by eliminating an
28 unnecessary additional level of government, make the
29 governance of water systems more responsive to electors and
30 water users, serve more equitably the municipalities
31 receiving water, prevent the retention of unnecessary cash
32 reserves at the expense of water users and taxpayers, spread

1 the costs of the water system more equitably among users,
2 increase the benefits resulting from the creation of water
3 systems, rebate excess revenues to residents of the home
4 county, and fund homeland defense and bioterrorism response
5 operations.

6 It is not the intent of this amendatory Act of 2003 to
7 change or permit the changing of any financial covenants or
8 obligations to supply water of a water commission established
9 under the Water Commission Act of 1985.

10 (70 ILCS 3720/0.02 new)

11 Sec. 0.02. Districts abolished; assets, property,
12 liabilities, rights, powers, duties, and functions assumed.
13 Notwithstanding any other provisions of law, including any
14 other provision of this Water Commission Act of 1985, any
15 water commission established under this Act is abolished on
16 October 1, 2003. On October 1, 2003, the home county of the
17 commission that is abolished shall assume all assets,
18 property, liabilities, rights, powers, duties, and functions
19 of the abolished commission.

20 (70 ILCS 3720/0.03 new)

21 Sec. 0.03. Transfer of personnel. On October 1, 2003,
22 personnel employed by a water commission that is abolished by
23 this amendatory Act of the 93rd General Assembly are
24 transferred to the home county of the commission. The rights
25 of these employees under collective bargaining agreements are
26 not affected by this amendatory Act of the 93rd General
27 Assembly.

28 (70 ILCS 3720/0.04 new)

29 Sec. 0.04. Transfer of property. Effective October 1,
30 2003, all books, records, documents, property (real and
31 personal), unexpended appropriations, and pending business of

1 a water commission abolished under this amendatory Act of the
2 93rd General Assembly are transferred and delivered to the
3 home county.

4 (70 ILCS 3720/0.05 new)

5 Sec. 0.05. Taxes.

6 Beginning on October 1, 2003, the county board of a home
7 county of a water commission that is abolished under this
8 amendatory Act of the 93rd General Assembly shall have the
9 power to levy and collect the tax set forth in subsection (f)
10 of Section 2 of this Act. The revenues collected from this
11 tax may be used only to repay the debts and obligations
12 incurred by an abolished water commission. This taxing power
13 expires upon the repayment of the indebtedness and
14 obligations of the water commission that exist on September
15 30, 2003.

16 (70 ILCS 3720/0.06 new)

17 Sec. 0.06. Taxpayer rebate. On or before October 1,
18 2004, the county board of the home county shall rebate the
19 amount of \$25,000,000 to the taxpayers in the areas in which
20 these funds were collected.

21 (70 ILCS 3720/0.07 new)

22 Sec. 0.07. Water enterprise fund. On October 1, 2003,
23 the home county shall establish a water enterprise fund. All
24 moneys transferred to the home county under this amendatory
25 Act of the 93rd General Assembly shall, for accounting
26 purposes, be stated separately in the water enterprise fund,
27 but these moneys may be appropriated from the fund for any
28 county water, public health, or safety purpose.

29 The Illinois Auditor General shall annually audit the
30 water enterprise fund and the results of that audit must be
31 made available to the public.

(70 ILCS 3720/0.08 new)

Sec. 0.08. Water service for unincorporated areas. A municipality with a water supply contract with a home county of a water commission abolished under Section 0.02 of the Water Commission Act of 1985 shall provide water to unincorporated areas of that home county that adjoin that municipality in accordance with the terms of this subsection. The provision of water by the municipality shall be in accordance with an ordinance of the home county. The ordinance of the home county shall not be effective unless it finds that the area to be served receives well water that is tainted, contaminated, or otherwise substandard. The ordinance of the home county shall designate the system within the unincorporated area to receive and distribute municipal water.

(70 ILCS 3720/0.09 new)

Sec. 0.09. Water subsidy guaranty. Except to satisfy the obligations of the abolished water commission, the water rates charged to municipalities that are in effect on the effective date of this amendatory Act of the 93rd General Assembly may not be increased for a period of 5 years. After this 5-year period, the home county may not increase this rate without the affirmative vote of three-fifths of the county board.

(70 ILCS 3720/0.010 new)

Sec. 0.010. Ordinances, orders, and resolutions.

(a) On October 1, 2003, the ordinances, orders, and resolutions of a water commission abolished by this amendatory Act of the 93rd General Assembly that were in effect on September 30, 2003 and that pertain to the assets, property, liabilities, rights, powers, duties, and functions transferred to the home county shall become, with respect to

1 that territory, the ordinances, orders, and resolutions of
2 the home county and shall continue in effect until amended or
3 repealed.

4 (b) Any ordinances, orders, or resolutions pertaining to
5 the assets, property, liabilities, rights, powers, duties,
6 and functions transferred to the home county under this
7 amendatory Act of the 93rd General Assembly that have been
8 proposed by a water commission abolished by this amendatory
9 Act of the 93rd General Assembly but have not taken effect or
10 been finally adopted by September 30, 2003 shall become, with
11 respect to that territory, the proposed ordinances, orders,
12 and resolutions of the home county, and any procedures that
13 have already been completed by the abolished water commission
14 for those proposed ordinances, orders, or resolutions need
15 not be repeated.

16 (c) As soon as practical after October 1, 2003, the home
17 county shall revise and clarify the ordinances, orders, and
18 resolutions transferred to it under this amendatory Act of
19 the 93rd General Assembly. The home county may propose and
20 adopt such other ordinances, orders, or resolutions as may be
21 necessary to consolidate and clarify the ordinances, orders,
22 and resolutions assumed under this amendatory Act of the 93rd
23 General Assembly.

24 (70 ILCS 3720/0.011 new)

25 Sec. 0.011. Cross references. Beginning on October 1,
26 2003, all references in other statutes, however phrased, to a
27 water commission abolished under this amendatory Act of the
28 93rd General Assembly shall be references to the home county
29 in its capacity as successor to the abolished water
30 commission.

31 (70 ILCS 3720/0.012 new)

32 Sec. 0.012. Savings provisions.

1 (a) The assets, property, liabilities, rights, powers,
2 duties, and functions transferred to a home county by this
3 amendatory Act of the 93rd General Assembly shall be vested
4 in that county subject to the provisions of this amendatory
5 Act of the 93rd General Assembly. An act done by an abolished
6 water commission or by an officer, employee, or agent of the
7 abolished water commission with respect to the transferred
8 assets, property, liabilities, rights, powers, duties, or
9 functions shall have the same legal effect as if done by the
10 home county or by an officer, employee, or agent of the home
11 county.

12 (b) The transfer of assets, liabilities, rights, powers,
13 duties, and functions under this amendatory Act of the 93rd
14 General Assembly does not invalidate any previous action
15 taken by or in respect to an abolished water commission or
16 its officers, employees, or agents. References to an
17 abolished water commission or to its officers, employees, or
18 agents in any document, contract, agreement, or law shall, in
19 appropriate contexts, be deemed to refer to the home county
20 or to its officers, employees, or agents.

21 (c) The transfer under this amendatory Act of the 93rd
22 General Assembly of assets, property, liabilities, rights,
23 powers, duties, and functions of an abolished water
24 commission does not affect any person's rights, obligations,
25 or duties, including any applicable civil or criminal
26 penalties, arising out of those transferred assets, property,
27 liabilities, rights, powers, duties, and functions.

28 (d) With respect to matters pertaining to an asset,
29 liability, right, power, duty, or function transferred to a
30 home county under this amendatory Act of the 93rd General
31 Assembly:

32 (1) Beginning October 1, 2003, a report or notice
33 that was previously required to be made or given by any
34 person to an abolished water commission or to any of its

1 officers, employees, or agents must be made or given in
2 the same manner to the home county or to its appropriate
3 officer, employee, or agent.

4 (2) Beginning October 1, 2003, a document that was
5 previously required to be furnished or served by any
6 person to or upon an abolished water commission or to or
7 upon any of its officers, employees, or agents must be
8 furnished or served in the same manner to or upon the
9 home county or to or upon its appropriate officer,
10 employee, or agent.

11 (e) This amendatory Act of the 93rd General Assembly
12 does not affect any act done, ratified, or cancelled, any
13 right occurring or established, or any action or proceeding
14 had or commenced in an administrative, civil, or criminal
15 cause before October 1, 2003. Any such action or proceeding
16 that pertains to an asset, property, liability, right, power,
17 duty, or function transferred to a home county under this Act
18 and that is pending on October 1, 2003 may be prosecuted,
19 defended, or continued by the home county.

20 (70 ILCS 3720/0.013 new)

21 Sec. 0.013. Disputes. Any disputes that arise as a
22 result of the abolishment of a water commission and the
23 assumption of the assets, property, liabilities, rights,
24 powers, duties, and functions of the abolished commission
25 shall be resolved by and appropriate action commenced in the
26 circuit court.

27 (70 ILCS 3720/0.014 new)

28 Sec. 0.014. Home rule. A home rule unit may not regulate
29 its water systems in a manner that is inconsistent with the
30 provisions of this amendatory Act of the 93rd General
31 Assembly. This Section is a limitation under subsection (i)
32 of Section 6 of Article VII of the Illinois Constitution on

1 the concurrent exercise by home rule units of powers and
2 functions exercised by the State.

3 Section 90. The State Mandates Act is amended by adding
4 Section 8.27 as follows:

5 (30 ILCS 805/8.27 new)

6 Sec. 8.27. Exempt mandate. Notwithstanding Sections 6
7 and 8 of this Act, no reimbursement by the State is required
8 for the implementation of any mandate created by this
9 amendatory Act of the 93rd General Assembly.

10 Section 97. Severability. The provisions of this Act
11 are severable under Section 1.31 of the Statute on Statutes.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.".